

**HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
DEPARTMENT[605]**

**Adopted and Filed**

**Rulemaking related to Iowa hazard mitigation plan**

The Homeland Security and Emergency Management Department hereby amends Chapter 9, “Iowa Comprehensive Plan,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code section 29C.8.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code section 29C.8.

*Purpose and Summary*

This rulemaking will formally adopt the Iowa Hazard Mitigation Plan.

Iowa currently has an “Enhanced” State Hazard Mitigation Plan (Enhanced Plan). This Enhanced Plan must be updated and formally adopted every five years pursuant to Federal Emergency Management Agency (FEMA) regulations. Historically, the Department has used the rulemaking process to formally adopt the Enhanced Plan. The current Enhanced Plan cited in 605—Chapter 9 was adopted on September 17, 2018, and expires September 18, 2023.

Through this Enhanced Plan, Iowa is eligible for additional federal disaster recovery grant funds. For example, because of the Enhanced Plan, Iowa becomes eligible for 33 percent extra funding from the Hazard Mitigation Grant Program (HMGP). This grant program helps fund long-term projects to mitigate impacts from future disasters. An Enhanced Plan is also needed for funding through the Public Assistance Grant Program, which helps repair infrastructure like roads, bridges, and water control facilities following a disaster. Because of Iowa’s Enhanced Plan, these programs have brought in nearly \$2 billion over the last 15 years.

There is no process to request a federal waiver should the approved Enhanced Plan lapse.

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on July 12, 2023, as **ARC 7045C**. A public hearing was held on August 2, 2023, at 10:30 a.m. in the Goldfinch Room, 7900 Hickman Road, Windsor Heights, Iowa, and via video/conference call. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Director on August 16, 2023.

*Fiscal Impact*

There are no costs to implement this change; however, should the approved Enhanced Plan fall out of compliance with federal standards, Iowa would no longer be eligible for federal disaster recovery grant funds at the current levels.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

### *Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

### *Effective Date*

This rulemaking will become effective on October 11, 2023.

The following rulemaking action is adopted:

ITEM 1. Amend rule 605—9.3(29C), introductory paragraph, as follows:

**605—9.3(29C) Iowa Hazard Mitigation Plan.** The Iowa Hazard Mitigation Plan is developed in accordance with Iowa Code section 29C.8 and has been adopted on ~~September 17, 2018~~ September 18, 2023, published, and maintained by the department. This plan details the state government goals, objectives, and strategies to mitigate a wide range of natural, technological, or human-caused disasters in accordance with Section 322 of the Stafford Act, 42 U.S.C. 5165.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/6/23.